

REMARKS

Claims 1-40 are pending in this application. For purposes of expedition, claims 1, 9, 15, 23, 29, 30 and 31 have been amended to address the Examiner's concerns regarding §101 issues, and to assist the Examiner to expedite compact prosecution of the instant application.

Claims 1, 9, 15, 23, 29 and 30 have been newly rejected under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter. In support of this rejection, the Examiner alleges that base claims 1, 9, 15, 23, 29 and 30 appear to be "a sequence of instructions comprised of software" and are not "a series of steps or acts to be a process." In addition, the Examiner further alleges that base claims 1, 9, 15, 23, 29 and 30 are, at best, "functional descriptive material per se" and merely claim "nonfunctional descriptive material, i.e., abstract ideas." While many of the Examiner's comments listed on pages 2-3 of the Office Action (Paper No. 20070216) are not easily comprehensible, Applicants respectfully submit that base claims 1 and 9 are directed to an apparatus and base claims 15 and 23 are directed to a method for synchronizing interactive contents that are clearly designated as statutory classes under 35 U.S.C. §101. Base claims 29 and 30 are written in acceptable Beauregard claims which contain a program for performing a method as defined in base claims 15 and 23. Nevertheless, in the interest of expedition, base claims 1, 9, 15, 23, 29 and 30 have been amended to clearly identify utility and has a practical application that produces a useful, concrete, and tangible result as identified by MPEP §2106. Specifically, base claims 1, 9, 15, 23, 29 and 30 have been further amended to define how "the multimedia elements are synchronized and mixed with the AV contents for a visual display on a screen of a display device," as shown in FIG. 1. As amended, Applicants respectfully request that the rejection of claims 1, 9, 15, 23, 29 and 30 under 35 U.S.C. §101 be withdrawn.

Similarly, base claim 31 has also been rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Again, the Examiner asserts that base claim 31 "appears to be a step missing with regards to producing a useful, concrete, and tangible result." According to the Examiner, the claimed invention, as a whole must accomplish a practical application, that is, it must produce a "useful, concrete, and tangible result." Again, in the interest of expedition, base claim 31 has been amended to further define that "the AV contents and the synchronized interactive contents" are selected decoded "based on the identification of the synchronized interactive contents for a visual display on a screen of a display device, such that the AV contents and the synchronized interactive contents are concurrently

navigable in response to the navigation control command," as shown in FIG. 1. Therefore, as amended, Applicants respectfully request that the rejection of claim 31 under 35 U.S.C. §101 be withdrawn.

In view of the foregoing amendments, arguments and remarks, all claims are deemed to be allowable and this application is believed to be in condition to be passed to issue. Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney at the Washington DC office at (202) 216-9505. Applicants respectfully reserve all rights to file subsequent related application(s) (including reissue applications) directed to any or all previously claimed limitations/features which have been amended or canceled, or to any or all limitations/features not yet claimed, i.e., Applicants have no intention or desire to dedicate or surrender any limitations/features of the disclosed invention to the public.

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage of fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account of Stein, McEwen & Bui, LLP, No. 503333, and credit any excess fees to said deposit account.

Respectfully submitted,

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5/22/07

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